

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>KATHRYN BAUMAN RUBENSTEIN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>CIVIL ACTION NO. 1: 07cv798-MHT</b>
<b>v.</b>	)	
	)	
<b>BETTY JO BAUMAN, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT,  
FIRST AMENDED COMPLAINT, AND  
ANTICIPATED SECOND AMENDED COMPLAINT**

Come now Defendants Judge Bernard Smithart, Judge Larry K. Anderson, retired Judge Dale Segrest, and former Chief Justice Drayton Nabers and move this Court to extend the time for Defendants to respond to Plaintiff's Complaint, First Amended Complaint, and anticipated Second Amended Complaint for an additional thirty (30) days, until November 1, 2007. As grounds for said motion, Defendants state as follows:

1. The undersigned counsel has been specially appointed as a Deputy Attorney General for the State of Alabama to represent the above named Defendants in this case and needs additional time to review the issues and properly respond to Plaintiff's Complaint and First Amended Complaint.

2. Defendants' answer to Plaintiff's Complaint and First Amended Complaint is currently due to be filed on or about October 2, 2007.

3. On September 13, 2007, this Honorable Court ordered Plaintiff to file a Second Amended Complaint no later than October 4, 2007. The Court's September 13 Order requires

Plaintiff to "specifically state[] the wrongful acts committed by each Defendant, including the date and place of wrongdoing, and the specific injury or damage to Rubenstein as a result of each act of wrongdoing."

4. The granting of this extension will allow Defendants to respond to the specific factual allegations that are required to be set forth in the Second Amended Complaint that is due to be filed on or before October 4, 2007.

5. The granting of this extension will not prejudice any of the parties.

WHEREFORE, premises considered, Defendants Judge Bernard Smithart, Judge Larry K. Anderson, retired Judge Dale Segrest, and former Chief Justice Drayton Nabers respectfully request this Court to extend the deadline for Defendants to respond to the Complaint, First Amended Complaint, and anticipated Second Amended Complaint filed in this action until November 1, 2007. Defendants request such further relief as this Court may deem appropriate.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed persons by placing a copy of the same in the United States mail, first-class postage prepaid and properly addressed as follows:

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